

House Bill 1179

By: Representatives Barnes of the 84th, Post 2, Dodson of the 84th, Post 1, Stephens of the 123rd, Channell of the 77th, and Buckner of the 82nd

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 5 of Title 16 of the Official Code of Georgia Annotated, relating to crimes
2 against the person, so as to establish greater penalties for simple assault and simple battery
3 when the victim of such an offense is a public school employee engaged in official duties or
4 on school property; to provide a definition of school property for such offenses and battery;
5 to amend Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to
6 elementary and secondary schools, so as to provide that the offense of disrupting the
7 operation of a public school applies to disruption of public school buses and established
8 public school bus stops; to provide an effective date and applicability; to repeal conflicting
9 laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 Chapter 5 of Title 16 of the Official Code of Georgia Annotated, relating to crimes against
13 the person, is amended in Code Section 16-5-20, relating to simple assault, by inserting a
14 new subsection to be designated subsection (f) to read as follows:

15 "(f) Any person who commits the offense of simple assault against an employee of a public
16 school system of this state while such employee is engaged in official duties or on school
17 property shall, upon conviction of such offense, be punished for a misdemeanor of a high
18 and aggravated nature. For purposes of this Code section, 'school property' shall include
19 public school buses and established stops for public school buses."

20 **SECTION 2.**

21 Said chapter is further amended in Code Section 16-5-23, relating to simple battery, by
22 inserting a new subsection to be designated subsection (i) to read as follows:

23 "(i) Any person who commits the offense of simple battery against an employee of a public
24 school system of this state while such employee is engaged in official duties or on school

1 property shall, upon conviction of such offense, be punished for a misdemeanor of a high
2 and aggravated nature. For purposes of this Code section, 'school property' shall include
3 public school buses and established stops for public school buses."

4 **SECTION 3.**

5 Said chapter is further amended in Code Section 16-5-23.1, relating to battery, by striking
6 subsection (i) and inserting in lieu thereof the following:

7 "(i) Any person who commits the offense of battery against a teacher or other school
8 personnel; engaged in the performance of official duties or while on school property shall,
9 upon conviction thereof, be punished by imprisonment for not less than one nor more than
10 five years or a fine of not more than \$10,000.00, or both. For purposes of this Code
11 section, 'school property' shall include public school buses and established public school
12 bus stops."

13 **SECTION 4.**

14 Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and
15 secondary schools, is amended by striking Code Section 20-2-1181, relating to disruption of
16 public schools, and inserting in lieu thereof the following:

17 "20-2-1181.

18 It shall be unlawful for any person to disrupt or interfere with the operation of any public
19 school, public school bus, or established public school bus stop. Any person violating this
20 Code section shall be guilty of a misdemeanor of a high and aggravated nature."

21 **SECTION 5.**

22 This Act shall become effective on July 1, 2004, and shall apply to offenses committed on
23 or after such date.

24 **SECTION 6.**

25 All laws and parts of laws in conflict with this Act are repealed.